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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Come now the Plaintiffs, MARY FRAN STROMYER (Social Security Number 216-66-8579), as Personal Representative of the Estate of FRANCIS B. STROMYER, (Social Security Number 213-68-1004), and Defendants, by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of this action with prejudice with each side bearing its own attorneys' fees and costs.

DATED: August 20, 2009

By: Patricia Kasputys
Patricia J. Kasputys
Attorney for Plaintiff

DATED: Oct. 12, 2009

By: Mark

DLA PIPER LLP (US)
1251 Avenue of the Americas
New York, NY 10020
Telephone: (212) 335-4500
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Defendants' Liaison Counsel

**PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,
IT IS SO ORDERED.**

Dated: 10/16/09

